

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE: * CASE NO. 07-03232-ESL
*
RAMON A. COLON GUZMAN * CHAPTER 13
ELSA D. ALCANTARA GARCIA *
*
*
Debtor(s). *
*

MOTION REQUESTING ORDER LIFTING STAY BE VACATED

Now comes, debtor, through his undersigned attorney and respectfully states as follows:

1. For the following reasons debtor requests this court vacate its January 3, 2007, Docket Number 44, for lifting the stay in favor of Doral Bank, pursuant to Local Rule 4001-(c)(2) and 4001-(d)(3)(a), Local Rule 9013-5, Puerto Rico Local Bankruptcy Rules (P.R. LBR).
2. Debtor is current in his payments pursuant to the terms of his proposed chapter 13 payment Plan.
3. The Plan proposes to pay DORAL in full both of its claims.
4. The property securing DORAL'S claim is necessary for an effective reorganization of debtor.
5. As of January 4, 2007, debtor is current in his payments of unpaid principal.
6. The Plan is currently being amended again due changes in Debtor's circumstances, and because by error the claim for the Treasury Department had been regarded as unsecured. Such amendment as discussed with attorney for Trustee will benefit creditors under the Plan.
7. Motion Requesting Lift of Stay was not serviced mail to Counsel for Debtor.

Wherefore, debtor, through his undersigned attorney respectfully requests that for the above stated reasons this Honorable Court:

- A. Vacate its order lifting stay in favor of DORAL; and
- B. Enter any orders it deems appropriate under the circumstances.

"REQUIRED RESPONSE TIME" LOCAL RULE 9013-1(H), P.R. LBR

TAKE NOTICE THAT UNLESS YOU OPPOSE THIS MOTION REQUESTING

OCTOBER 30, 2007 ORDER DISMISSING CASE BE VACATED WITHIN TEN (10) DAYS AFTER SERVICE AS EVIDENCED BY THE CERTIFICATION, AND AN ADDITIONAL THREE (3) DAYS PURSUANT TO FED. R. BANK. P. 9006(F) IF YOU WERE SERVED BY MAIL, ANY PARTY AGAINST WHOM THIS PAPER HAS BEEN SERVED, OR ANY OTHER PARTY TO THE ACTION WHO OBJECTS TO THE RELIEF SOUGHT HEREIN, SHALL SERVE AND FILE AN OBJECTION OR OTHER APPROPRIATE RESPONSE TO THIS PAPER WITH THE CLERK'S OFFICE OF THE U.S. BANKRUPTCY COURT FOR THE DISTRICT OF PUERTO RICO. IF NO OBJECTION OR OTHER RESPONSE IS FILED WITHIN THE TIME ALLOWED HEREIN, THE PAPER WILL BE DEEMED UNOPPOSED AND MAY BE GRANTED UNLESS: (I) THE REQUESTED RELIEF IS FORBIDDEN BY LAW; (II) THE REQUESTED RELIEF IS AGAINST PUBLIC POLICY; OR (III) IN THE OPINION OF THE COURT, THE INTEREST OF JUSTICE REQUIRES OTHERWISE.

Respectfully submitted in Bayamón, Puerto Rico this 12 day of January, 2007.

CERTIFICATE OF SERVICE

I hereby certify that on this day, I electronically filed the foregoing with the Clerk of the Court uploading the same using the CM/ECF System which will send notification of such filing to the following: José Ramón Carrión Morales, Esq., Chapter 13 Trustee; Rosa E. Rodríguez Vélez, Esq., Monsita Lecaroz Arribas, US Trustees Office; and to all parties appearing in the master address list and herein attached, and by United States first class mail postage prepaid to Internal Revenue Service, Mercantil Plaza Building, 2 Ponce De Leon Avenue, Room 1014, Stop 27 ½, San Juan, Puerto Rico, 00918-1693.

s/Loydianne Torres Berrios, Esq.
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